



Case Docket No. 58268.09031

Date October 25, 2004

**RECEIVED**

**OCT 28 2004**

**Technology Center 2600**

In re the application of:

HERBST

Serial No.: 09/599,526

Group Art Unit: 2662

Filed: June 23, 2000

Examiner: Joseph B. Logsdon

For: APPARATUS AND METHOD FOR STORING DATA

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

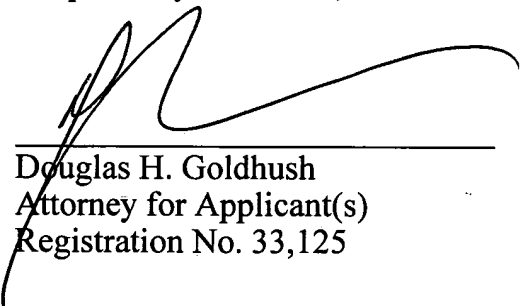
- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- ☐ Applicant qualifies for small entity status.
- ☐ No additional fee is required.

The fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
(Col. 1)	CLAIMS REMAINING AFTER AMENDMENT	(Col. 2)	HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3)	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	22	MINUS	22		x9=		or x18=	
INDEP.	14	MINUS	5		x44=		or x88=	9
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+150=		or +300=	
					TOTAL		or	792

- ☒ Enclosed is a check in the amount of Seven Hundred Ninety Two (\$792.00). Except as otherwise noted herein, the Commissioner is hereby authorized to charge payment of any other fees that may be required to complete this filing, or to credit any overpayment, to Counsel's Deposit Account No. 50-2222.
- ☐ The Commissioner is hereby authorized to charge payment for the following fees associated with this communication or credit any overpayment to Counsel's Deposit Account No. 50-2222. A duplicate copy is enclosed.
- ☒ Any filing fees required under 37 CFR 1.16.

Respectfully submitted,



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Douglas H. Goldhush  
Attorney for Applicant(s)  
Registration No. 33,125

Atty. Docket No. 58268.09031

**Customer Number 32294**

SQUIRE, SANDERS & DEMPSEY LLP

14<sup>TH</sup> Floor

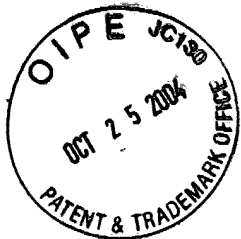
8000 Towers Crescent Drive

Tysons Corner, Virginia 22182-2700

Telephone: 703-720-7800

Fax: 703-720-7802

Enclosures: Amendment  
Check No. \_\_\_\_\_



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**BOX AF**

AF ✓  
**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2662**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 28 2004

Technology Center 2600

In re the Application of:

Joseph HERBST

Art Unit: 2662

Application No.: 09/599,526

Examiner: Joseph B. Logsdon

Filed: June 23, 2000

Attorney Dkt. No.: 58268.09031

For: APPARATUS AND METHOD FOR STORING DATA

**RESPONSE UNDER 37 CFR § 1.116**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 25, 2004

Sir:

In response to the Office Action dated June 25, 2004, please consider the remarks that follow.

**Amendments to the claims are submitted beginning on page 2.**

**Remarks are submitted beginning on page 14.**